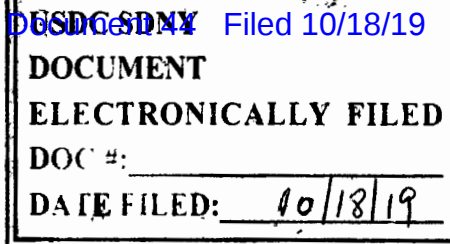


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*Defendants' time to respond to  
the motion is extended to November 18.*

October 18, 2019

Via ECF

*No further extensions are contemplated.*

*Louis L. Stanton. 10/18/19*

Hon. Louis L. Stanton  
United States District Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Dresser-Rand Co. v. Petróleos de Venezuela, S.A., et al*, No. 19-cv-02689-LLS

Dear Judge Stanton:

This firm represents plaintiff Dresser-Rand Company ("D-R") in the above-referenced action. We write in response to the October 17, 2018 letter of defendants Petróleos de Venezuela, S.A. and PDVSA Petróleo, S.A. (together, "Defendants") requesting an extension of the briefing schedule for D-R's pending summary judgment motion (the "Motion"), which was set by the Court's September 6, 2019 Order ("September 6th Order") (ECF No. 37), and to clarify D-R's position related to Defendants' request.

Since the Court's September 6th Order, D-R has diligently worked, on an expedited basis, to collect, review and produce a voluminous number of documents that were directed to be produced. As a result, D-R has produced over 9,000 documents in response to the September 6th Order. This production began on September 27, 2019 and was completed on October 15, 2019. In response to Defendants' October 9, 2019 request for an unspecified extension of the briefing schedule, D-R initially offered Defendants a two-week extension to file their opposition to the pending Motion (that has been pending since February 26, 2019). D-R's proposal was based upon an analysis of the time that it took to complete its review of the documents produced. Defendants responded by asking for four weeks, in response to which D-R offered to compromise on a three-week extension (until November 11, 2019). D-R does not agree that a four-week extension is appropriate or warranted for at least two reasons.

*First*, with a three-week extension, Defendants will have had more than sufficient time to review the documents produced by D-R and complete their opposition brief. Following the issuance of the September 6th Order, D-R immediately commenced its collection, review and production of documents, as well as the drafting and negotiation of a confidentiality and protective order. Recognizing that Defendants' preparation of its opposition brief was ongoing (as the issues have been well-known to Defendants and their counsel for at least the 7 months that this action has been pending), D-R made sure to produce documents on a rolling basis, so as to provide documents to Defendants as promptly as possible. D-R produced its first of three rolling productions on September 27, 2019—two days after the Court entered the parties' Stipulated Confidentiality and Protective Order. D-R's second rolling production was made five days later, on October 2, 2019, and its last production was made on October 15, 2019. Thus, from the date of the September 6th Order to the third and final rolling production, Defendants had 39 days to review the documents produced as of that date and begin drafting their brief. With a three-week extension (until November 11th), Defendants will have an additional 27 days to review D-R's third production of documents and supplement their brief. Despite this, Defendants do not view 66 days as sufficient time, and have sought even yet more time, despite D-R's attempt at compromise on the schedule in order to avoid burdening the Court.

MEMO ENDORSED

MEMO ENDORSED



Hon. Louis L. Stanton  
October 18, 2019  
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*Second*, D-R objects to a four-week extension because it is readily apparent that Defendants' extension request is a precursor to further dilatory tactics going forward. In fact, Defendants' counsel has already signaled that Defendants intend to "make follow-up inquiries." Such "follow-up inquiries" were neither contemplated nor included within the Court's Order. As such, Plaintiff is justifiably concerned that Defendants' request for a four-week extension will not represent the end of potential delays, and that Defendants are using this request for an extension (as well as their contemplated future requests) to further stall resolution of what should have been an expedited proceeding.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

*/s/ Jordan W. Siev*

Jordan W. Siev

cc: All Counsel of Record (*via ECF*)